

**DISTRICT ADVISORY BOARD
DISTRICT IV**

October 3, 2001 - 7:00 p.m.
Stanley/Aley Community School Center, 1749 S. Martinson
www.wichitagov.org

Members Present

Council Member Bill Gale
Tom Kessler
Dorman Blake
Wayne Wells
Bea Vickers
Jerry McGinty
Ed Koon
Iola Crandall

Members Absent

June Bailey
Paul Ward
Jim Benton

Staff

Officer Anthony Bamberger, Patrol South
Officer Richard Mellard, Patrol West
Officer Drew Sieler, Patrol West
Vicky Wong, Public Works Department
Bill Longnecker, Metropolitan Area Planning
Department
Rian Harkins, Metropolitan Area Planning
Department
Aaron Hamilton, Neighborhood Assistant

ORDER OF BUSINESS

Call to Order

Council Member Bill Gale called the meeting to order, explaining the purpose of the District Advisory Board as representatives of District IV residents who provide input for consideration in City Council actions. He also noted that everyone would be able to voice their thoughts on the different issues discussed and there would be no time limit placed on any comments.

Approval of Minutes

Minutes from Sept 15, 2001 meeting were not distributed yet.

Approval of Agenda

Council Member Gale asked if there were any additions to the agenda. There were none. **Jerry McGinty** moved to accept the agenda. **Bea Vickers** seconded. The agenda was approved 6-0.

Public Agenda

Jeff Farney from “Topeka Independent Living Resource Center” voiced concerns with ADA accessibility issues at the Neighborhood City Halls: 1) Van accessible parking and access aisle missing; 2) Threshold from main parking to this entrance missing; 3) Computers don’t have software for people with visual impairments. The committee’s that are looking at some of the projects may not include people with disabilities (i.e. Riverside Park) currently. Access affects people with disabilities, so the city was asked to include handicapped folks in planning. Aaron Hamilton will follow up.

Public Works Agenda

Vicki Wong presenting “Petitions of Angel Acres 2nd addition” location: one for paving and 2 for sanitary sewer. Sewer petitions are phase 1 and phase 2 of proposed improvement for sanitary sewer. They include tract North of sewer being included in petition. A paving petition is required to pay for it, but to the South there are 2 unpaved streets. According to Kansas statute, an improvement district has been set up to include half block to Seneca. **Gary Wiley** prepared petition, estimated costs to be spread to other homeowners. Residents in Angel Acres pay for their own streets. Kansas statute specifies that every property is responsible for front and side street improvements. This petition spells out estimated costs for each property in the benefit district.

Council member Gale opened the floor for questions. (Questions listed below with answers in italics). **Gary Wiley** and **Vicki Wong** provided answers.

Jerry McGinty asked if residents were being charged \$2,200 or \$22,000? *\$2,200.* **Bea Vickers-** Is it a new housing development? *Yes.* **Vickers -** When will it be started? *Next year.* **Vickers-** What are plans for Gold and Sycamore? *Gold is not a full street but did submit petition with 100% approval.* Will paving be done after sewer is installed? *Yes, along with water lines.* **Vickers-** Before or after construction? *Whole project will be done at the same time.* **Wiley-** To pave now will cost less than in the future. **Vickers-** What about other streets with access to these streets? *Sunrise is not paying.* **Vickers-** What is the actual cost of each stub of street? *That’s not known yet.*

Carolyn Stock- On new area, did she receive letter in error? Mr. Stock is upset because he is paying for the stub of a street that he never uses. **Stock-** Only paying for half of assessed value or won’t pay at all. What are people on Sycamore paying for? **Bill Gale-** *Sycamore is a street in Sunrise and it was a petitioned project.* **Stock-** Why didn’t they get a letter? **Gale-** *Whoever drew up petition didn’t request it.* **Gale** asked will Stocks have to pay for water/sewer? **Wong-** *No.* **Stocks-** Why do they have to pay for full lot when only half of their property is on it? **Gale-** *give your name and number to Vicki Wong.* According to the current proposal, Mr. Angle (half owner of 20 acres on the other side of Angel Acres) has to pay \$54,000 for sewer. **Gale-** Will check into agricultural use deferral for 15 years or until developed. **Angle-** How do we go about this? (He got Bill Gale’s card). **Wiley-** 120 feet are assessed as per state statute. **Gale-** *Similar for the elderly.* **Angle-** Are they listed as one lot or agricultural? **Gale-** *Agricultural.* **Angle-**

\$54,000 would phase them out of ownership, as 20 acres doesn't earn enough to cover that expense. **Wiley-** If anyone came to buy, they would have to pay more than they are being charged. **Angle-** Regardless of what he does, "we gotcha" is the final result. **Gale-** Clarified max is 25 years on deferral. **Gale-** This situation is unique as it is an infill project. Most assessments picked up by new development but existing property has to pick up the other. **Tom Kessler-** Comments on the % of people for and against, how does that work? **Wong-** *The petition is evaluated by area property owner's side or head count.* **Kessler-** Are there head count numbers now? **Wong-** *About 14 right now.* (Gary provided this information).

Ed Koon- The paving petition meets all guidelines. Move paving petition stand and protest not allowed. **McGinty** second. **Passes 6 to 0.**

Koon- has concerns about sewage and is concerned about state law, if so, it's a bad state law. **Wong-** view is that any property that benefits has to pay. **Koon-** Current property doesn't benefit, doesn't know the solution but is at odds with the state law. **Koon-** Our hands are tied, as they can't go against state statute.

Vickers- moved to accept as presented since they have no choice due to impending development and state statutes. **Koon-** second. City council to address Oct 16th, passes 6 to 0.

Planning Agenda:

ZON2001-00055 – Requested zone change from "TF-3" Two-Family Residential to "NO" Neighborhood Retail Office. Proposed site is located on the southwest corner of Seneca and Crawford (2701 S. Seneca).

Bill Longnecker, MAPD, addressed the Board. The applicant currently converted a garage to an insurance business office. The owner intends to develop as office and move to a different home. Two lots are involved. The approximate area around it is restaurants and retail, mixed commercial across the street. Parking may be an issue and they may require screening and landscaping. Approval is proposed with a protective overlay. **Vickers** - closing driveway on Seneca and opening Crawford? *That is the traffic engineers proposal. Parking is currently for residential use. Traffic will increase as staff will be hired which will also increase parking, which will lead to need for landscaping.* **Wiley** there on behalf of contract purchaser, Larry Underhill; wants to build office in South Wichita. They hope to expand in the future approximately 1,000 feet. They agree with proposal except 1. pitch of roof and 2. access to Seneca - proposes in only drive which after adding on to house, if access only off of Crawford, there is not enough room, proposing enter only on Seneca and exit on Crawford **Vickers** in only on Seneca and out only on Crawford are left turns allowed? *Yes, they are currently available; hasn't had chance to meet with traffic engineer.* **Kessler** - zoning change both lots? *Yes. It is needed to expand and for parking.* Audience: none; further board comments? **Wells** motioned to recommend the Board accept the plan with amendments for parking so it is in only on Seneca and out only on Crawford. **McGinty** gave a second. No discussion; passes 6-0.

Zone 0059- Requested zone change from “SF-5” Single Family Residential to “TF-3” Two Family Residential. Proposed site is located on the east side of Chase Street.

Longnecker explained, the applicant has a vacant lot he'd like to build duplex on. The surrounding area is the correct zoning. Lowering the density to low density is recommended and being discussed. Staff recommends approval. There were no questions for staff. Applicant **Randy Johnson** reiterated what Mr. Longnecker said: it is an infill lot, good project to add something new within the neighborhood. **Wayne Wells-** asked about character of what North or South? **Johnson-** Not sure of exact materials houses are made of but assured the Board it will not look out of place. No other questions from the Board. **Audience-** No one. **Board-** other comments, questions? **Vickers** – moved to approve as presented, **second by McGinty, passes 6 to 0.**

Board Agenda:

Gale- asked to move agenda item 6 to 5 as audience there to address updates to city codes. **Kurt Schroeder, Superintendent of the Office of Central Inspection,** presented possible amendments to the current building code structure to the Board and citizens. Wichita currently uses the 1997 uniform building code (which is derived from one of the three most widely used national models) as a basis for their local codes/jurisdiction. Six years ago, those three code groups decided to create one federal building code, brought on by the possibility of the federal government mandating federal code, which unified the groups. It has national support and helps producers to get certified easier. New code became available last June. Recommended international building code adoption process with amendments, which went to board of standards and appeals. Public contact was taken in Feb. and March and a residential board came up with residential amendments. The city proposed to move forward with that document. Accessibility was addressed on the bottom of pg. 3. The city has been enforcing ADA since 1992. ADA construction law was passed in 1990 or 1991, also adopted and passed by the state of Kansas. Added requirement for larger assembly uses with many sinks and restrooms and must add unisex bathroom that is handicap accessible. This provides a private restroom if couples are traveling together and have to help each other. Major amendments include exceptions, zero lot line on new developments, and handrails, which are required for safety reasons, along with hundreds of other amendments.

Lonnie Wright- addressed the Board, he is opposed to adoption until next year due to impact to jurisdiction. Provided folders for information with Eagle articles, and quotes from people in the field, asking to bring our code into international code standards. At the time, only international code was available. A second code, the National Fire Protection agency's code, will be available and he is asking not to change code until next year, when other code is available for comparison. **Gale-** thanked him. **Alan Enlow along with Bob Shepard** (who works for publishers of current codes) noted these changes are a significant move which will impact the costs of building and a number of codes that have to be harmonized to be compatible, significantly different processes used in both codes. Governmental consensus is used in one of the codes. NFPA is made under consensus process so everyone in the country can give input, it's important that everyone has input, not just a matter of choosing a code and saying this would be the one. Small contractors and repair companies would be affected, as they currently do not have designers on staff, ask that

DABs and Council create groups to compare codes for side by side analysis. **Jeff Farney** accessibility issues- no disability community members were included in the process, and he would like to see disability inclusion. ADA exempted Churches and private clubs unless appealed. He has procedural questions about how that works; parking and signage, etc. **Schroeder-** Many different interpretations between state and federal architects. Wanted to clarify to make things easier. **Farney** had concerned about parking spaces and number of accessible parking spaces per parking space in parking lots. **Schroeder-** parking refers to ADA guidelines in full. **Sue Ledbetter** - concerned that safety standards could be lowered, many codes currently in place due to previous accidents. One reason for having this meeting was because public was not aware of changes so we can compare. **Ledbetter-** is on school bond committee, but concerned about effect on third phase of school bond. **Schroeder-** state fire marshals office is involved in school projects and all design is going to be according to 1997 building code, state farm still looking at international code and they have input into school process. **Pat Richardson-** is acquainted with some of what may not have been presented and he is asking to apply a sense of reason to the decision. Each trade board referees between contractors and city inspectors. On the plumbing board it's always been policy that when new policy comes about, trade board would look at new codes under a microscope and got input from anyone. This new code process changed the way this was done. They were notice that a committee was being formed to help assist boards with making the decision. He thinks the building code adoption process has been anything but democratic and there is currently a system of checks and balances (appeals board). New international code system allows only building officials to adopt those codes. **David** the executive director for the plumbing and sheet metal association says it is a controversial subject. Nationwide building codes affects all the codes that affect our city, putting together family of codes is a laudable goal, but wants as much public information as possible and respectfully asks Council member Gale to wait until Jason Dean has actual code with him. Noted all emergency exits changed from 5.7 feet to 5.0 feet, will residents suffer as business saves money? Stairs height and depth is now 8" and depth 9", concerned about people getting hurt. Pleased with increases and benefits, but worried about what is lost, noted no one from Unions or Handicap on boards, just contractors. **Schroeder-** Noted it is a highly technical code. The documents have been gone through in tremendous detail, hundreds of hours put into this. Local codes have been amended over the last 30 years and this document would be the same; screen windows have been the same for fifteen years or more; new plumbing codes are in use around the country; the administrative process still has to go through local chapters to amend; and Boards can still hear appeals. In Wichita, we have historically tried to update codes as there are new methodologies and products that dictate us keeping current. NFPA code is not available yet.

Board comments/questions:

The following is board questions. Answers are provide by Schroeder in italics.

McGinty asked if codes were only to be enforced on new construction? New Construction, remodeling. **Vickers-** is existing property exempt? *Yes. Except new room or completely redone room has to meet code (i.e., Kitchen redo).* **Gale-** thanked Kurt.

Gale and Koon- moved that discussion will be repeated to the council receive and file comments second by **Bea Vickers, motion passes 6 to 0.**

Board Agenda 2:

Rian Harkins presented to the Board about comprehensive plan, a number of important policy implications. As part of the review, staff has looked at controversial issues and put together proposed amendments. Nothing has to be done, but he presents conceptual changes. One of the most important things in the proposed land use guide are adjustments to provide greater accuracy to see how Wichita is zoned, which hasn't been available before. There are major changes in Wichita's corporate boundary, which affects Council districts expansion. Other major map change is Sedgwick county comprehensive development guide, shows whole county including small city growth. Green triangles are green wedges or gateways between Wichita and the small cities that surround us using monuments and different landscaping uses, conceptual at this point.

Gale- asked about other cities annexation where did information come from? ***Harkins Derby** provided information but other cities haven't yet.* **Ed Koon-** do we have information on Rose Hill and Andover? *Not currently, due to it being in Butler County, which may cause Sedgwick and Butler counties to work together.*

Amendments to the text of the Comprehensive Plan include: used car lots; revising strategy to provide more compact commercial development; trying to avoid misusing land (combining residential and commercial); wanting commercial at intersections surrounded by a pedestrian friendly area; want development if and only if, it doesn't impact the residential area around it. The other issue is that design is a matter of taste. Mixing commercial development mom and pop businesses, so they can share foot traffic. Can make residential area on upper floors, similar to new market square or Bradley fair which are not the same but similar. There is a need to preserve open space hence the idea of bunching or clustering to preserve agricultural land and open space in Sedgwick County. The idea is to bundle individual lots and put in individual covenants or deed restriction until urban services can be provided. One other issue was there are other tools to keep agricultural land preserved. Th committee came up with conservation. You can develop 80 acres and preserve 80 acres and sell development rites for other 80 acres that will be preserved for a set amount of time. This is part of the public input process to get thoughts and comments as a chance to help shape how this community is developed. This information will be sent to each small city MAPD is working with. The planning commission had recommendations as well, concentrating nodes of development.

Board Questions:

Gale- Please contact **Hamilton** who will contact **Harkins**. Number 2 proposed changes to Urban Service areas MAPC required? Specifically neighborhood plans? Mentioned the Delano plan and South Wichita-Haysville plan. There is nothing in the comprehensive plan preventing neighborhood plans, but is there anything promoting them? Spoke about Delano neighborhood plan, incorporating them into the land use guide for South Wichita. **Gale-** thanked Rian for coming out.

Announcements:

CP officers Iola- monthly meeting tomorrow night with speaker on mail fraud and next month lighting of St Paul Street as a Christmas project. **Wong-** South branch Library, meeting Friday with Architect. **Vickers-** Wichita Police Chief Williams made a guest appearance and the Pawnee and Glenn fire department put on a program at the Southwest NA meeting last Thursday. Working with Habitat Home residents to get them guest baskets. Invited to the Open house at

South branch station. **Gale** thanked Vickers for being very helpful with the welcome baskets. **Wayne Wells** - Delano had last meeting on the 18th with Representatives Moore and Barnes and Senator Schodorf. They had a successful picnic serving over 300 Hot Dogs. He is working with MAPD on the Delano neighborhood plan, particularly rezoning and overlay issues. **Tom Kessler** enjoyed the Grand Opening at Stanley Neighborhood City Hall.

Officer Bamberger thanked everyone for coming to the Grand Opening. Invited everyone to City Hall Oct 12th for Irene Armstrong's award ceremony. She is receiving the "Volunteer of the Year" award. It is being held in the board room. **Officer Mellard**- There are six new members on nine member team at Patrol West. They are addressing problems with female robber. Lawrence elementary school event has outstanding with students paying tribute to the emergency workers in the city and showed their amazing patriotism. Site council at Metro Meridian and should be productive, asked about youth on council from Metro. **Officer Seiler**- Southwest Village has a meeting next Tuesday with guest speaker Captain Zumalt, who oversees professional standards. Casting for Kids event had 100 attendees. Headed by Patrol West and mobile home owners. Thanked the many sponsors. The media was there; it should be in tomorrow's paper. **Officer Mellard** is getting with all DAB members and NA presidents to see if they want to ride around and point out problem areas. If interested, please contact Officer Mellard to arrange time and dates.

Bill Gale is excited about the use of the building out here. Thanked the Board for a good meeting and dealing with the tough issues. Appreciate them being here.

Vickers- Overheard that Bamberger will be in Topeka on Oct. 11th for the Wheat State crime prevention award from Attorney General's office. The Board recognized Officer Bamberger for his accomplishment.

Adjournment:

The meeting was adjourned at 10:18 p.m.

Guests:

Gary Wiley- 303 S. Topeka
Irene Armstrong- 1109 Greenfield
Jeff Farney- 1945 N. Rock Rd.
Jason Paul Dean- 945 ½ Woodrow
Randy Johnson- 924 N. Main
Bill Longnecker- Sr Planner/City
Don Stock- 944 W. Sunrise
Carolyn Stock- same as above
Drew Seiles- Patrol West
Allen Inlow- 758 Eastridge
James Richardson- 300 S. Cheryl

Vicki Angle- 1001 E. MacArthur #326
Eldon Angle- same as above
Officer Dick Mellard- 661 N. Elder
Vicky Huag- City of Wichita
Anthony Bawkey- 211 E. Pawnee
Donnah Taylor- 511 W. 34th St S.
Rian Harkins- MAPD/Land use Research
Sue Ledbetter- 511 Aspen
Bob Shepherd- 11815 Kenny Lane
Lonny Wright 2320 Alamemeda

Respectfully submitted by

Aaron Hamilton
Neighborhood Assistant